

**Notice of Allowability**

Application No.

10/509,932

Examiner

Courtney Thomas

Applicant(s)

GRASS ET AL.

Art Unit

2882

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed: 01/23/06.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Kocovsky (28, 383) on Wednesday, May 10, 2006.

The application has been amended as follows:

In claim 1, line 21, "planes treating" has been replaced by --planes by treating--

In claim 5, line 20, "the attenuation" has been replaced by --an attenuation--

In claim 5, line 21, "measuring data" has been replaced by --measuring values--

In claim 6, line 23, "the spatial" has been replaced by --a spatial--

In claim 6, line 23, "the attenuation" has been replaced by --an attenuation--

In claim 6, line 24, "X-rays" has been replaced by --radiation--

In claim 6, line 24, "measuring data" has been replaced by --measuring values--

In claim 6, line 25, "measuring data" has been replaced by --measuring values--

### *Allowable Subject Matter*

1. Claims 1-6 are allowed.
2. The following is an examiner's statement of reasons for allowance:
3. **As per claim 1 and dependent claims 2-4**, the examiner found no reference in the prior art that disclosed or made obvious a computed tomography method comprising the step of:

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reconstructing measuring values representing fan beams of rays in fan beam planes, treating the measuring values as representing rays which extend parallel to each other and perpendicularly to a transverse plane through which puncture points are defined to form at least one CT image, as recited in independent claim 1.

4. **As per claim 5**, the examiner found no reference in the prior art that disclosed or made obvious a computed tomography apparatus including an image processing unit for generating at least one CT image from measuring values by performing the step of: reconstructing a spatial distribution of attenuation of radiation from the measuring values by treating fan beam rays of parallel fan beam planes of groups as parallel rays while reconstructing at least one CT image, as recited in independent claim 5.

5. **As per claim 6**, the examiner found no reference in the prior art that disclosed or made obvious a computer readable medium comprising a program for controlling a computed tomography apparatus to perform the step of: reconstructing a spatial distribution of an attenuation of radiation from measuring values, by treating the measuring values as representing rays extending perpendicularly to a group plane of corresponding groups to form a continuously updated fluoroscopic CT image, as recited in independent claim 6.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney Thomas whose telephone number is (571) 272-2496. The examiner can normally be reached on M - F (9 am - 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272 2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Courtney Thomas*

Courtney Thomas  
Primary Examiner  
Art Unit 2882